

### **REMARKS**

This paper is a response to the Final Office Action dated May 19, 2009, and is being submitted with a Request for Continued Examination. Prior to entry of this paper, claims 1-28, 31, and 32 were pending in this application. Claims 1-28 and 32 are now amended and claim 31 is cancelled. The amendments and cancellations are without prejudice to pursuing the subject matter of the claims prior to amendment or cancellation in a continuation or other application. No claims are added. Accordingly, upon entry of this paper, claims 1-28 and 32 will be pending. In addition, the specification is amended to correct informalities. No new matter is added.

In the Office Action mailed May 19, 2009, pending claims 1-28, 31 and 32 were rejected. More specifically, the status of the application in light of this Office Action is as follows: claims 1-28, 31, and 32 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over various combinations of U.S. Patent 6,502,194 ("Berman"), U.S. Patent Application Publication 2001/0030660 ("Zainoulline") and U.S. Patent Application Publication 2002/0059237 ("Kumagi").

Independent claim 1 is respectfully submitted to be allowable at least because the applied references fail to disclose or suggest the now claimed features of:

wherein the multimedia scheduler comprises:

at least one work manager for each of a plurality of channels serviced, the work manager including at least one producer thread, a task queue and at least one worker thread; and

one or more scheduler objects associated with each producer thread, wherein the work manager and associated scheduler objects create and maintain a broadcast schedule for each of the channels according to predefined criteria, wherein said at least one producer thread checks a channel at configurable intervals and increments the channel's schedule by generating a work request and placing it in the task queue, wherein the worker threads execute the work requests, and wherein the multimedia scheduler is scalable to service the plurality of broadcast channels and/or services simultaneously.

Applicants respectfully note that these features are substantially similar to allowed and issued claim 1 of U.S. Patent No. 7,412,532 which shares a claim of priority with the

instant application to U.S. Provisional Application 60/433,734 ("the '734 provisional"). The '734 provisional is incorporated into the instant application. These features are supported by applicants' disclosure, e.g., by pages 510 to 542 of the '734 provisional.

Independent claims 6 and 16 are respectfully submitted to be allowable at least because the applied references fail to disclose or suggest the now claimed features of:

wherein the pre-determined sequence of content segments was pre-scheduled for network broadcast on one of a plurality of channels, including:

creating and maintaining, by a work manager and associated scheduler objects, a broadcast schedule for each of the channels according to predefined criteria;

checking, by at least one producer thread, the broadcast schedule for each of the channels at configurable intervals;

incrementing, by at least one producer thread, the broadcast schedule for each of the channels by generating a work request and placing the work request in a task queue; and

executing, by worker threads, the work requests.

These features are supported by applicants' disclosure, e.g., by pages 510 to 542 of the '734 provisional.

Applicants respectfully submit that the rejection of claim 31 is moot in light of the cancellation of claim 31.

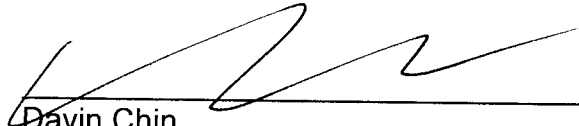
The remaining claims depend from one of independent claims 1, 6, or 16 and are respectfully submitted to be allowable based at least upon such dependence.

Conclusion

In view of the foregoing, the pending claims are patentable over the applied art. Applicants accordingly request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Davin Chin at (206) 359-8000.

Respectfully submitted,  
Perkins Coie LLP

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